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| 10/531,569 | 04/18/2005 | Tao Zhang | 46843-216978 RK | 1394 |
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| VENABLE LLP P.O. BOX 34385 WASHINGTON, DC 20043-9998 | | | EXAMINER PACHURA, REBECCA L | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|---------------------------------------|-------------------------------------|--|
| Office Action Summary | Application No. 10/531,569 | Applicant(s) ZHANG ET AL. | |
| | Examiner Rebecca L. Pachura | Art Unit 2136 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The objection to the IDS's submitted on 04/18/2005 and 08/10/2006 is withdrawn because they meet the minimum requirements of the MPEP but not the spirit of supplying an IDS in the first place. What is the point in asking consideration for a document in which the examiner is unable to read because she does not speak/read that language?

Specification

2. The objection to the abstract is withdrawn based on the new abstract submitted on 03/11/2008. The objection to the disclosure is withdrawn based on the amendments made to the disclosure submitted on 03/11/2008.

Claim Objections

3. The objections to claims 1 and 5 are withdrawn based on the amendments submitted on 03/11/2008.

Status of Claims

4. **Claims 1-6 are pending in this Office Action.**
Claims 1 and 5 are amended.
Claim 6 is new.

Response to Amendment

5. **The 35 U.S.C. 112, second paragraph rejection on claim 1 is withdrawn based on the applicant's amendments submitted on 03/11/2008.**

Response to Arguments

6. Applicant's arguments filed 03/11/2008 have been fully considered but they are not persuasive.

Applicant's Invention as claimed:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1, 4, 5 and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by US 6961857 (Floryanzia).

As to claim 1, (Currently Amended) Floryanzia discloses an authentication method for network security, comprising the following steps: ~~step 1: a Media Gateway Controller (MGC)~~ configuring a Media Gateway (MG) with an authentication key, and setting a security data package on a network protocol, by a Media Gateway Controller (MGC) (Floryanzia column 3, lines 54-67);

~~step 2: the MGC, during the a security authentication, sending, by the MGC, security authentication request data to the MG using the data package (Floryanzia column 4, lines 23-31);~~
~~receiving by the MGC a calculation result obtained by the MG performing an encryption calculation on the request data using the authentication key by the MG, and responding to MGC with the encrypted request data (Floryanzia column 10, lines 1-43); and~~

~~step 3: the MGC determining by the MGC whether the MG being authenticated is legal according to the calculation authentication result (Floryanzia column 10, lines 1-43).~~

As to claim 4, (Previously Presented) Floryanzia discloses the authentication method for network security according to claim 1, wherein said data package comprises a security authentication request signal and a security authentication completion event, said security authentication request signal comprising a security authentication parameter, and said security authentication completion event comprising a security authentication result parameter (Floryanzia column 8, lines 5-34).

As to claim 5, (Currently Amended) Floryanzia discloses the authentication method for network security according to claim 4, wherein ~~said step 2~~ the step of sending security authentication request data from the MGC to the MG using the data package further comprises:

~~step 21: the MGC sending the security authentication request signal in the data package to the MG (Floryanzia column 3, lines 54-67);~~

~~step 22: the MG, after receiving the security authentication parameter in the security authentication request signal, performing encryption calculation on said parameter using the authentication key, and reporting the encryption calculated result to the MGC through the~~

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~~security authentication result parameter in the security authentication completion event in the data package~~ (Floryanzia Figures 3A, 3B, 3C, column 9, lines 34-43, and column 10, lines 1-43).

As to claim 6, (New) The authentication method for network security according to claim 5, wherein the receiving step comprises: receiving the calculated result through the security authentication result parameter in the security authentication completion event in the data package, wherein the calculation result is obtained by performing an encryption calculation on the security authentication parameter using the authentication key by the MG (Floryanzia Figures 3A, 3B, 3C, column 9, lines 34-43, and column 10, lines 1-43).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6961857 (Floryanzia) in view of US 20020120760 (Kimchi).

As to claim 2, (Original) Floryanzia teaches the authentication method for network security according to claim 1. Floryanzia fails to teach wherein said network protocol is Media Gateway Control Protocol (MGCP).

However, Kimchi discloses wherein said network protocol is Media Gateway Control Protocol (MGCP) (Kimchi paragraph 0036, lines 1-17).

It would be obvious to one of ordinary skill in the art at the time of the applicant's invention that the MGCP is one of the proposed upgrades for the older H. 323 standard (Kimchi paragraph 0036, lines 1-17).

As to claim 3, (Original) Floryanzia teaches the authentication method for network security according to claim 1. Floryanzia fails to teach wherein said network protocol is H248 protocol.

However, Kimchi discloses wherein said network protocol is H248 protocol (Kimchi paragraph 0036, lines 1-17).

It would be obvious to one of ordinary skill in the art at the time of the applicant's invention that the H248 is another proposed upgrade for the older H. 323 standard (Kimchi paragraph 0036, lines 1-17).

Remarks

7. Applicant has presented amendments for the 35 U.S.C. 112, second paragraph rejection, has added 1 new claim, and has made some amendments for clarification. Applicant has made arguments for the rest of the response see below.

The Applicant Argues:

The Action aligns MGC of claim 1 with the Gatekeeper of Floryanzia. However, the Gatekeeper of Floryanzia does not perform the step of determining by the MGC whether the MG is legal according to the calculation result." Instead, a RADIUS server is used in Floryanzia to determine whether the Gateway is legal, and the RADIUS server then passes its determination

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back to the Gatekeeper. Claim 1 recites interaction between only the MGC and MG in determining if the MG is legal. Floryanzia requires a third party, the RADIUS server, to perform the authentication of the Gateway for the Gatekeeper.

In response, the examiner respectfully submits:

The examiner aligns the MGC of claim 1 with the Gateway of Floryanzia. Furthermore the authentication server can be a RADIUS server but it is not necessarily one but is communicatively coupled which means it could be a software module, just as the applicant's authentication means is a software module (Floryanzia column 7, lines 27-55).

The Applicant Argues:

Claim 1 recites "sending, by the MGC [Media Gateway Controller], security authentication request data to the MG [Media Gateway] using the data package." Floryanzia does not disclose or suggest this feature of claim 1. Instead, Floryanzia discloses the opposite of claim 1. The Action aligns the Gatekeeper of Floryanzia with the claimed MGC and the Gateway of Floryanzia with the claimed MG. The Access Token in Floryanzia is sent from Gateway to the Gatekeeper, and not the other way around, as claimed. That is, the Gateway in Floryanzia is initiating the registration request. By contrast, in claim 1, the MGC sends the security authentication request to the MG. Because Floryanzia discloses the Gateway initiating the registration request, which is directly opposite to what is claimed, Floryanzia cannot and does not disclose or suggest the recited feature of claim 1 of "sending, by the MGC, security authentication request data to the MG using the data package."

In response, the examiner respectfully submits:

Floryanzia does disclose "sending, by the MGC (gateway), security authentication request data to the MG (gatekeeper) using the data package" (Floryanzia column 3, lines 50-67 and column 4, lines 23-31).

The Applicant Argues:

Further, The Gatekeeper of Floryanzia does not align with MGC of the present claims as suggested in the Action. According to the description of column 2, lines 31-33 of Floryanzia, the so-called Gatekeeper does not control the Media Gateway. Figure 2A of Floryanzia depicts both a Gatekeeper and an MGC. The Gatekeeper of Floryanzia cannot perform the functions of the MGC of the present claims, as a separate MGC is required in Floryanzia to supplement the Gatekeeper. This indicates that the Gatekeeper of Floryanzia cannot be aligned with an MGC. As can be understood by those skilled in the art that, the Gatekeeper of Floryanzia is a specific network element in the H.323 protocol that provides address translation and call control services to H.323 endpoints. The MGC of the present invention may be responsible for managing multiple Media Gateways (e.g. managing media resources of MGs, managing the resource states of MGs, and managing the states of MGs), for the exchanging IP and PSTN signaling and also for managing and communicating with multiple Signaling Gateways. The Gatekeeper of Floryanzia cannot perform the functions of an MGC as disclosed and claimed, and therefore cannot be aligned with the MGC of the present claims.

In response, the examiner respectfully submits:

The Gatekeeper of Floryanzia does not align with the MGC it aligns with the MG and the Gateway aligns with the MGC (Floryanzia column 3, lines 54-67).

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The Applicant Argues:

Therefore, for at least the above reasons, claim 1 is allowable over Floryanzia. Claims 4-6 are allowable over Floryanzia for at least being dependent on allowable claim 1.

In response, the examiner respectfully submits:

Based on the rejection of claim 1 above claims 4-6 still stand rejected.

The Applicant Argues:

Claims 2 and 3 have been rejected under 35 USC 103(a) as being unpatentable over Floryanzia in view of US Patent Publication No. 20020120760 (Kimchi). Claims 2 and 3 are allowable over Floryanzia for at least being dependent on allowable claim 1. Kimchi does not supplement the deficiencies of Floryanzia to with respect to the features of claim 1 as discussed above. Therefore, claims 2 and 3 are allowable over Floryanzia in view of Kimchi for at least being dependent on allowable claim 1.

In response, the examiner respectfully submits:

Based on the rejection of claim 1 above claims 2 and 3 still stand rejected in view of Kimchi.

Based on the examiner's arguments claims 1, 4, 5, and 6 are rejected under 35 U.S.C. 102(b) and claims 2 and 3 are rejected under 35 U.S.C. 103(a).

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rebecca L. Pachura whose telephone number is (571) 270-3402. The examiner can normally be reached on Monday-Thursday 7:30 am-6:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on (571) 272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Rebecca L Pachura/
Examiner, Art Unit 2136

/Nasser G Moazzami/
Supervisory Patent Examiner, Art Unit 2136